

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Montana State Office

5001 Southgate Drive, P.O. Box 36800

Billings, Montana 59107-6800

<http://www.mt.blm.gov/>

In Reply To:

8100 (924.3) P

April 15, 2003

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Instruction Memorandum No. MT-2003-035

Expires: 9/30/04

To: State Management Team

From: Deputy State Director, Division of Resources

Subject: Guidance for Cultural Resource Investigations on Oil and Gas
Projects DD: 05/09/03

Attached for your review are new requirements for oil and gas projects in Montana. The requirements are aimed at standardizing reporting requirements and recording procedures for consultants operating under a Cultural Resource Use Permit.

These requirements are primarily directed at traditional oil and gas development. However, they are generally consistent with current draft guidance for cultural resource investigations as specified in the Miles City Field Office, Coal Bed Methane APD, and POD Guidance Manual. The attached inventory report short form may also be used for non-oil and gas-related projects provided it is used for negative inventories and small-scale projects.

Please review the new standards and provide comments to (MT-924.3) by May 9, 2003. If you have questions regarding the requirements, contact Gary Smith at 406-896-5214.

Signed by: Howard A. Lemm, Acting DSD, Division of Resources

Authenticated by: Kathy Iszler, Staff Assistant (MT-924)

3 Attachments

- 1-Cultural Resource Requirements for Oil and Gas Operations (8 pp in its entirety)
- 2-Inventory Form for Negative Inventories and Small Scale Projects (2 pp)
- 3-Fieldwork Authorization Request/Notification of Records Search Completion Form (2 pp)

Distribution w/Attms.

Assistant Field Manager, Havre Field Station

Assistant Field Manager, Glasgow Field Station

BLM cultural resource requirements for oil and gas operations in Montana

These requirements are intended for cultural resource consultants hired by oil and gas operators in Montana. They supplement the *Guidelines for Identifying Cultural Resources H-8110* (the handbook), which remains the basic guidance for cultural resource work completed for BLM undertakings. Notice to Lessees, NTL-MSO-1-85, provides guidelines to operators when they are required to conduct cultural resource inventories. The NTL establishes the minimum standard survey area of 10 acres centered on each proposed well plus the access road, pipeline and ancillary areas subject to surface disturbance.

Before initiating fieldwork:

Before conducting fieldwork, complete a file search of the CRIS and CRABS databases that are maintained by the SHPO. This file search is needed to assess the location of previously recorded cultural resources and previous work that has been completed in the project's area of potential effects. The file search is also necessary to identify what level of inventory, if any, may be required for an undertaking, while avoiding duplication of fieldwork. When all or part of the project area has been previously surveyed, contact the BLM cultural resource specialist to discuss whether additional inventory is required.

Submit a "Fieldwork Authorization Request/Notification of Records Search Completion Form" (Attachment 1). List each oil and gas project to be inventoried by name or number and the project location by township, range and section (give aliquot parts of the section if possible, *i.e.*, SE1/4 SE1/4) and who is sponsoring the project. The form may be submitted to the BLM via e-mail (contact the appropriate BLM field office cultural resource specialist for the correct e-mail address). Submit this form for all projects, regardless of surface ownership. Attach a copy of the CRIS and CRABS file demonstrating that a file search was completed for the project. The BLM will acknowledge receipt of the form. When this form is used, do not send the Fieldwork Authorization Request Form 8151-3.

The BLM assesses the potential for traditional cultural properties to be located in or near the proposed oil and gas undertaking when reviewing the Fieldwork Authorization Request/Notification of Records Search Completion Form for oil and gas undertakings. If a project is in or near an area of concern to Native American tribes, the BLM will notify the operator and alert the cultural resource consultant. Even in the absence of such notification, the consultant must report evidence of traditional cultural use observed in or near project areas to the BLM (*e.g.*, sweat lodges, prayer flags and tobacco offerings). The BLM is responsible for consulting with the tribes regarding issues of concern to them.

Cultural resource inventory and recording procedures:

1. Unless the operator chooses to inventory a larger area or BLM requires a block survey, cultural resource inventory is to be completed on a 10-acre unit with the well location in the center of the unit square. Orient the 10-acre survey unit toward true north. Determine and record the locations of each corner using a GPS unit or stake the corners of the 10-acre survey unit before starting the inventory. If stakes were used leave the stakes in place. Use linear transects to survey the area unless topography prevents such transects.

If all or part of the survey area in an upland setting lies within cultivated areas, crested wheatgrass plantings and chisel-plowed areas, contact the field office cultural resource specialist to confirm the level of survey required. Within these previously disturbed uplands, documented reconnaissance inventory to determine the presence of standing structures and homestead remains may be all that is warranted.

2. Before recording cultural resources, establish a datum within the 10-acre survey area but outside of the area that would be disturbed during construction. The datum may be rebar or pvc pipe with an aluminum identification tag attached. Reference all cultural features and the well center stake from this datum. Map data will be obtained from measured distances using a tape or surveyors wheel and recording azimuth or bearing from the datum stake. Include in the inventory report, the distance and direction (azimuth or bearing) to each feature in the 10-acre inventory block. In lieu of using a compass and tape, map data may be obtained with a GPS unit equal to accuracy tolerances reported for the Trimble GeoExplorer III unit. No datum is required. Include in the inventory report, the UTM locations for the well center stake, survey area corner stakes and all cultural features (latitude and longitude may also be used).

3. Centerlines of proposed access routes and pipelines must be delineated on the ground before cultural resource inventory begins. The standard area to be surveyed for access roads and small gathering pipelines is 50 feet on both sides of the centerline of the road and pipeline corridor (total 100 feet). The BLM may require a wider inventory corridor when a construction right-of-way width is 50 feet or more. Inventories must include proposed access corridors where no road or trail currently exists and unimproved two-track trails from the well to the lease boundary (the specific lease on which the well is located). Additional inventory may be required for access routes beyond the lease boundary, if the operator must obtain a right-of-way from the BLM. Reroutes must be flagged in such a way as to be easy to follow from the points where the reroute leaves and rejoins the original line. Within the survey corridor of roads and pipelines, describe the location of cultural resources by giving the distance and direction (azimuth or bearing) from the site boundary to the nearest engineering station, if available, along the road/pipeline centerline. Also state the shortest distance from the site boundary to the centerline. In lieu of using a compass and tape, this data may be obtained with a GPS unit equal to the accuracy tolerances reported for the Trimble GeoExplorer III unit. Record cultural resources as well as a point on the centerline closest to the site boundary. Include in the inventory report, the UTM for the centerline point and site boundary point.

4. Record cultural resource sites using the guidance in the BLM handbook. Record stone feature sites as detailed in the BLM's "Requirements for the Recordation of Archaeological Properties with Stone Features" (called here the "stone feature requirements"). Mark the location of tipi rings and other stone features with a surveyor's nail and aluminum tag identifying the site field number and feature number. Sites that extend beyond the survey area must be recorded to 100 feet outside of the survey area boundary. If the site continues still farther from the survey boundary, indicate the direction and estimate the distance to the site boundary. Report this

boundary information on the site form and illustrate it on the report sketch map and topographic map.

When determining effects to cultural resources, the BLM will generally require surface-disturbing activities related to well construction to be a minimum of 50 feet from a site boundary. Where surface disturbance from construction and/or use of access roads and pipelines will not exceed 15 feet on both sides of the centerline (total 30 feet), the site boundary must be at least 35 feet from the centerline. The BLM may require the operator to place temporary barriers or use a monitor to ensure the protection of sites within the survey area during project construction. Archaeological testing may be required if proposed surface disturbing activities are closer to, or within, site boundaries.

Discuss proposed changes to the boundaries of previously recorded sites with the BLM cultural resource specialist before making such changes. Submit a separate Fieldwork Authorization Request Form 8151-3 with an archaeological testing plan to the BLM cultural resource specialist before initiating archaeological testing (see page 7).

Reporting procedures:

Cultural resource inventory reports are to be completed according to requirements in the BLM handbook. Reports for inventories covering 80 acres or less, or larger inventories in which no cultural resources were found, should use the attached Small Scale and Negative Inventory/Monitoring Report Form (Attachment 2). All inventory reports must document the nature of the project, specific field methods and cultural resources in sufficient detail that a reader who is unfamiliar with the undertaking can understand what was found and make rational and defensible resource management decisions. Submit three (3) copies of the report and two (2) copies of each site form to the BLM (contact the BLM to learn where reports are to be sent). If collections were made submit three (3) additional copies (one unbound) and one set of site forms to the Billings Curation Center (see Montana Handbook H-8120 for instructions)

Completing the Small Scale and Negative Inventory/Monitoring Report Form (Attachment 2): (Do not use this form when a context must be developed to evaluate cultural resources or when a traditional cultural property is within or near the proposed project area.)

Negative report:

When no cultural resources other than isolated finds are found in the survey area, the inventory report shall consist of the completed Small Scale and Negative Inventory/Monitoring Report Form (Attachment 2), a CRABS form, a 1:24,000 map of the project area and a photograph or digital image of the project area. This form can also be used for similar small-scale projects not related to oil and gas development. Submit isolated find forms with the report as needed. An acceptable negative inventory report must conform to the format in Attachment 2 as follows:

1. BLM Report Number: This is a unique identifying number issued by the BLM office after receiving the report from the consultant.
2. Cultural Resource Use Permit Number and Expiration Date: Self-explanatory.
3. Report Title (Project Title): The name given the report should convey information about the specific project (*e.g.*, “Cultural Resource Inventory of the Samedan 1123-2 Well, Access and Pipeline).
4. Fieldwork Date(s): Give the dates on which fieldwork was completed for the specific project.
5. Report Date: Self-explanatory.
6. Consultant Name and Address: Self-explanatory
7. Acreage: Note the total number of acres inventoried, then break the total down into “Federal”, “State” and “Private” to the nearest acre. Also specify the number of acres inventoried as a block (*e.g.*, the 10 acres surrounding a proposed well) and the size of the impact area, that area subject to surface disturbance within the survey block . The impact area includes all terrain where the surface may be altered by project activities such as excavation, drilling, vehicular travel, materials stockpiling, etc. Next, list the number of acres inventoried for linear projects that lie outside of the block survey area (*e.g.*, access roads, pipelines) and note the impact area within the linear corridors surveyed.
8. Sponsor Name and Address: The sponsor is the individual or firm seeking a land use authorization from the BLM who has hired the cultural resource consultant.
9. Location: This is the legal location of the proposed undertaking.
10. Records Search: Note the date on which the CRIS and CRABS records search was received from the SHPO. Also list the sites (by site number) found to be within 1/2 mile of the proposed undertaking. Show all sites within 1/4 mile of the proposed undertaking on the project map.
11. Environmental Setting: Briefly describe the topography, surface geology, plant community, etc. of the project area. Note whether all or part of the project area has been previously cultivated. Estimate surface visibility at the time of the inventory.
12. Description of the Undertaking: Describe the proposed project in enough detail to convey how it would affect the surface. Note the nature of the access route from the lease boundary to the well location (improved road, two track, native prairie, cultivated field, etc.,) and provide details regarding road construction, if planned. Describe the nature of roads or trails for which BLM has required a right-of-way for access to the lease boundary and discuss road construction or maintenance plans. Describe the pipeline route, briefly state how the pipeline would be

constructed and note the size of the pipe. If the operator does not intend to identify a pipeline route until after the well is drilled, indicate that cultural resource inventory will be needed before the BLM approves the pipeline.

13. Field Methods: Self-explanatory.

14. Cultural Resource Summary: For a negative report, simply state that no cultural resources were found. Show the location of isolated finds on the project map. Include isolated find forms with the report.

15. Management Summary/Recommendations: For a negative report, state there are no cultural resource issues that would preclude approval of the undertaking.

16. Please sign and date the document as the archaeologist responsible for the report.

Project Map: Place the location of the project and inventory area boundaries on a 1:24,000 scale topographic map. Show the access road and trails from the lease boundary to the well and any roads for which the BLM has required the operator to obtain a right-of-way. Display the pipeline route clearly from the well to its connecting point with an existing pipeline. Plot previously recorded sites located within 1/4 mile of the survey area. When using GPS data with a mapping program, the scale must be at least as detailed as a U.S.G.S. 7.5' topographic map and the scale must be indicated on the map.

Positive report:

When cultural resources other than isolated finds are found in the survey area, the inventory report shall consist of a completed Small Scale and Negative Inventory/Monitoring Report Form (Attachment 2), a CRABS form, a 1:24,000 topographic map of the project area, a sketch map of the project area and a photograph or digital image of the project area. Submit site record and isolated find forms with the report (do not attach). An acceptable positive inventory report must conform to the format in Attachment 2 as described for the Negative Report above with the following additional information:

14. Cultural Resource Summary/Finding of Effects: As needed, add summary information to item 14, briefly describing and evaluating cultural resources found (the detailed description and evaluation should be in the site form). Clarify the spatial relationship of sites to the proposed project. If map data was acquired with a compass and tape, attach a list indicating the distance and direction (azimuth or bearing) from the datum stake to the well center stake and each cultural feature within the 10-acre survey block. If using a GPS unit, include the UTM locations for the well center stake, survey block corners and cultural features. For sites along the proposed access road or pipeline, list the distance and direction from the site boundary to the nearest engineering station, if available, along the road/pipeline centerline. Also list the shortest distance from the site boundary to the centerline. If using a GPS unit, list the UTM location for a point

along the site boundary closest to the centerline and for that centerline point closest to the site boundary.

15. Management Summary/Recommendations: State whether the project, as planned, has the potential to affect eligible or potentially eligible cultural resources. If eligible or potentially eligible resources could be affected, recommend what should be done to avoid or reduce adverse effects to cultural resources. When recommending avoidance, be specific about distances and methods of avoiding the resources. If a well pad must be relocated, specify the direction and distance it should be moved. Include engineering station numbers in the description of reroutes for linear corridors. In most cases, significant resources should be avoided by at least 50 feet in the well construction area and 35 feet by pipelines and access roads. If you propose the use of site protection barriers, describe the type of barriers and their locations. Plot the barrier locations on the project map. If you recommend construction monitoring, be very specific about when it is required and how it should be conducted.

Project Map(s)

Topographic Map: Place the location of the project, lease boundaries and inventory area boundaries on a 1:24,000 scale topographic map. Show the access road and trails from the lease boundary to the well and any roads for which the BLM has required the operator to obtain a right-of-way. Display the pipeline route clearly from the well to its connecting point with an existing pipeline. Plot the location of previously recorded sites located within 1/4 mile of the survey area and plot the location of newly recorded sites. Provide a legend and north arrow. When using GPS data with a mapping program, the scale must be at least as detailed as a U.S.G.S 7.5' topographic map and the scale must be indicated on the map.

Project Sketch Map (drawn to scale): The purpose of the project sketch map is to show the relationship between the proposed project and sites recorded in the survey area. Include the boundaries of the 10-acre inventory parcel and/or linear corridor, whichever is nearest the sites. Indicate the outer limits of the area subject to surface disturbance from project construction and use. Also include the boundaries of sites, the location of individual features within the sites and the location of isolated finds. Depending on where cultural resource sites are located, the sketch map would show the 10-acre block survey area and/or a segment of the road or pipeline survey. Reroutes must be shown with engineering stations and noted in the text of the report. If site protection barriers are recommended, plot their location on the sketch map; indicate the distance and direction (azimuth or bearing) from the ends of the barrier to a site datum. Provide a legend with scale and north arrow. When using GPS data and a mapping program, ensure the map scale is adequate to show detailed spatial relationships within the survey area. Indicate the scale on the map.

Monitoring Report

When no cultural resources are disturbed or discovered during monitoring, report the results on the Small Scale and Negative Inventory/Monitoring Report Form. (See further discussion of monitoring below).

Site Record Forms

Follow the instructions in the BLM handbook and stone feature requirements for completing site forms. Submit two copies of each site form with the inventory report. Forms for sites previously recorded in the survey area must be updated if they do not accurately reflect the nature of the site or distribution of features in the survey area. Submit a copy of the original site form with the revised form.

Site Testing and Evaluation

Evaluate cultural resource sites for which enough information is available without testing. Sites that cannot be avoided by redesigning the project must also be evaluated. Follow the instructions in the BLM handbook for completing site testing and evaluation. For tipi ring sites, use the testing and evaluation procedures in the BLM's requirements for stone feature sites.

Submit a Fieldwork Authorization Request Form 8151-3 to the BLM field office before initiating archaeological testing. A testing plan must accompany the request which includes (1) the purpose of the testing proposed, (2) the location of the testing on a plan view site map and/or topographic map, (3) an explanation of field methods and excavation strategy and (4) a description of analyses to be completed on samples/specimens collected. Testing proposals shall be consistent with the guidance in the BLM handbook and the attached requirements for stone feature sites. The BLM field office will review the testing proposal and discuss any outstanding issues with the permit holder. A fieldwork authorization will be issued after BLM completes any necessary environmental review and/or Native American consultation.

Testing reports must clearly describe field methods, what was found, analyses performed, results of analyses and conclusions about the potential of the site to yield important information. Where appropriate, use photographs, drawings and tables to illustrate the data and information recovered. Provide maps that clearly identify where the work took place.

Monitoring

Monitoring means a qualified archaeologist is required to be present while surface disturbing activities related to oil and gas development occur. The consultant may need to be on site to ensure surface disturbance does not occur within a site area or that construction activities are confined to an area that has been previously disturbed. During review of an oil and gas proposal and the cultural resource inventory report completed for it, the BLM may determine monitoring

is needed and attach special conditions to the operator's permit. When contacted by the operator to arrange for monitoring, obtain a copy of the special conditions attached to the operator's land use authorization and submit a Fieldwork Authorization Request/Notification of Records Search Completion Form to the BLM field office. When no cultural resources are disturbed or discovered during monitoring, report the results on the Small Scale and Negative Inventory/Monitoring Report Form.

If buried cultural deposits are exposed by construction activity, operations must stop in the vicinity of the discovery and the discovery must be reported to the BLM immediately. Surface disturbing activities may resume no closer than 100 feet from the discovery area. Construction shall not resume in the discovery area until it is authorized by the BLM.

Data Recovery

Follow instructions in the BLM handbook and stone feature requirements to obtain a cultural resource use permit and to plan, conduct and report a data recovery project.

Timely Reporting

The permittee is responsible for ensuring cultural resource inventory, testing and monitoring reports are submitted to the BLM within 60 days of completing fieldwork. If a report is likely to be submitted late, e-mail the BLM field office at least 2 days before the due date, explain the reason for the delay and provide a date when the report will be submitted. The BLM will acknowledge receipt of the message. Granting additional time for reporting is at the BLM's discretion, based on the reason for the delay. Acceptable reasons for delay include such circumstances as reporting an unusually complex project, awaiting the arrival of carbon 14 dating results or other necessary information. A pattern of late reporting may result in permit suspension or revocation.

BLM FAR/NRSC Form Montana:**Fieldwork Authorization Request/Notification of Records Search Completion for Oil and Gas Projects****E-mail or mail to the appropriate BLM field office, Attach CRIS and CRABS results.****Permit Number:****Permit Expiration Date:****Name:****Address****Telephone #****FAX #****E-mail address:****Person in charge:****Field Personnel:****Date CRIS/CRABS file search completed:****Dates of fieldwork:****Nature of work: inventory testing monitoring****Project Name/Number****Location****Client**

I have reviewed the State CRIS and CRABS records search data for the proposed project locations listed above:

Responsible Cultural Resource Use Permittee

Date

| | | | | | |
|---|--|---|---|--|--|
| Small Scale and Negative Inventory/Monitoring Report Form All Projects in Montana | | | | | |
| 1. BLM Report Number | | | 2. Cultural Resource Use Permit No. and Expiration Date: | | |
| 3. Report Title (Project Title) | | | 4. Field Work Date(s) | | |
| | | | 5. Report Date | | |
| 6. Consultant Name & Address Direct Charge: Name: Address: Author's Name: Field Personnel: Phone: | | | 7. ACREAGE: Total No. of acres surveyed: Surface Ownership: Federal: State: Private: Block Survey: Impact area in block: Linear Survey: Impact area in linear corridor: | | |
| 8. Sponsor Name and Address Individual Responsible: Name: Address: Phone: | | 9. Location (map attached) State: County: BLM Office: Legal Location: T R Sec. 1/4 1/4 1/4 Well Footages: USGS 7.5' Map Name: | | | |
| | | 11. Environmental Setting | | | |
| 10. Records Search CRIS/CRABS Date: List sites within 1/2 mile of project: (Show sites within 1/4 mile of project on Project Map) | | | | | |
| 12. Description of Undertaking | | | | | |

13. Field Methods

14. Cultural Resource Summary/Finding of Effects

15. Management Summary/Recommendations

16. Certification

I certify the information provided in this report is correct, accurate and meets all applicable BLM standards.

Responsible Cultural Resource Use Permittee: _____
Signature Date